

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 78/320,975
Published in the Official Gazette of August 3, 2004

ALLERGAN, INC.,

Opposer,

vs.

BIOCENTRIC LABORATORIES, INC.,

Applicant.

Opposition No. 91161603

Mark: SEATOX

**OPPOSER'S NOTICE OF RELIANCE PURSUANT TO RULE 2.122(d) ON OPPOSER'S
REGISTRATIONS OF THE MARK "BOTOX"**

Opposer Allergan, Inc., pursuant to Rule 2.122(d) of the Trademark Rules of Practice, submits this Notice of Reliance on the following registrations of its BOTOX trademark. Status and title copies of each of these registrations are attached hereto as Exhibits A - C.

1. United States Trademark Registration No. 1,692,384 for BOTOX.
2. United States Trademark Registration No. 1,709,160 for BOTOX.
3. United States Trademark Registration No. 2,510,675 for BOTOX.

Dated: January 25, 2006

SEYFARTH SHAW LLP

By: 

Kenneth L. Wilton
Attorneys for Opposer
Allergan, Inc.

2029 Century Park East, Suite 3300
Los Angeles, CA 90067-3063
Telephone: (310) 277-7200
Facsimile: (310) 201-5219



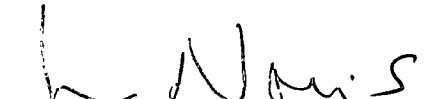
01-27-2006

U.S. Patent & TMO/TM Mail Rpt Dt. #30

CERTIFICATE OF MAILING

I hereby certify that on January 25, 2006, this Opposer's Notice Of Reliance Pursuant To Rule 2.122(d) On Opposer's Registrations Of The Mark "BOTOX" is being deposited with the U.S. Postal Service by First Class Mail service for delivery to:

Commissioner for Trademarks
BOX TTAB NO FEE
Post Office Box 1451
Alexandria, VA 22313-1451


Linda Norris

f f

1414868

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 18, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,692,384 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *June 09, 1992*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *June 09, 2002*
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

ALLERGAN, INC.
A DE CORP

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office



E. Bornett
E. BORNETT

Certifying Officer

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office

Reg. No. 1,692,384

Registered June 9, 1992

**TRADEMARK
PRINCIPAL REGISTER**

BOTOX

**ALLERGAN, INC. (DELAWARE CORPORATION)
2525 DUPONT DRIVE
IRVINE, CA 92715**

**FIRST USE 9-0-1990; IN COMMERCE
1-22-1992.**

SN 74-126,661, FILED 12-21-1990.

**FOR: PHARMACEUTICAL PREPARATIONS;
NAMELY, OPHTHALMIC MUSCLE RELAX-
ANTS, IN CLASS 5 (U.S. CL. 18).**

RACHEL BLUE, EXAMINING ATTORNEY

1414868

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 18, 2006

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,709,160 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *August 18, 1992*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *August 18, 2002*
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

ALLERGAN, INC.
A DE CORP

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office



E. Bornett
E. BORNETT
Certifying Officer

**TRADEMARK
PRINCIPAL REGISTER**

BOTOX

ALLERGAN, INC. (DELAWARE CORPORATION)
2525 DUPONT DRIVE
IRVINE, CA 92715

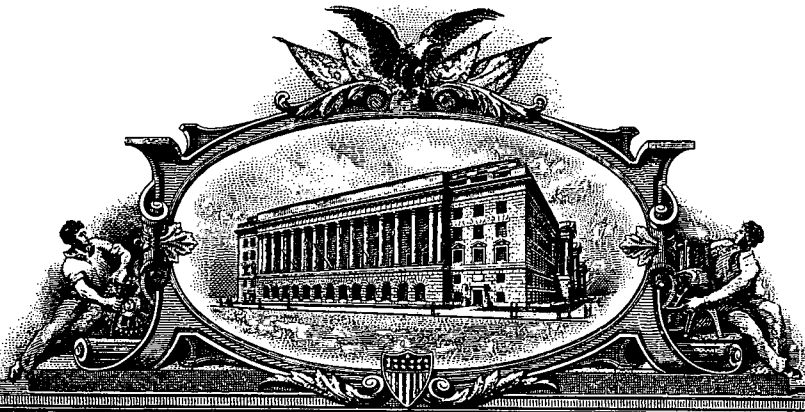
FIRST USE 9-0-1990; IN COMMERCE
1-22-1992.

SN 74-136,930, FILED 2-6-1991.

FOR: PHARMACEUTICAL PREPARATIONS
FOR THE TREATMENT OF NEUROLOGIC
DISORDERS, IN CLASS 5 (U.S. CL. 18).

HOWARD B. LEVINE, EXAMINING ATTORNEY

1414868



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

January 18, 2006

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,510,675 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *November 20, 2001*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**




E. BORNETT

Certifying Officer

Int. Cl.: 5

Prior U.S. Cls.: 6, 18, 44, 46, 51 and 52

United States Patent and Trademark Office

Reg. No. 2,510,675

Registered Nov. 20, 2001

**TRADEMARK
PRINCIPAL REGISTER**

BOTOX

**ALLERGAN, INC. (DELAWARE CORPORATION)
2525 DUPONT DRIVE
IRVINE, CA 92612**

**FOR: PHARMACEUTICAL PREPARATIONS FOR
THE TREATMENT OF NEUROLOGICAL DISOR-
DERS, MUSCLE DYSTONIAS, SMOOTH MUSCLE
DISORDERS, AUTONOMIC NERVE DISORDERS,
HEADACHES, WRINKLES, HYPERHYDROSIS,
SPORTS INJURIES, CEREBRAL PALSY, SPASMS,**

**TREMORS AND PAIN, IN CLASS 5 (U.S. CLS. 6, 18,
44, 46, 51 AND 52).**

FIRST USE 9-30-1990; IN COMMERCE 1-22-1992.

**OWNER OF U.S. REG. NOS. 1,692,384, 1,709,160
AND OTHERS.**

SER. NO. 78-041,618, FILED 1-3-2001.

JENNIFER KRISP, EXAMINING ATTORNEY


CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2006, I served the foregoing Opposer's Notice Of Reliance Pursuant To Rule 2.122(d) On Opposer's Registrations Of The Mark "BOTOX" on the applicant by depositing a true copy thereof in a sealed envelope with the United States Postal Service "Priority Mail Service" addressed to applicant as follows:

Ms. Rebecca Spaar
Chief Executive Officer
BioCentric Laboratories, Inc.
854 Baseline Place
Suite B
Brighton, CO 80603

AND

Ms. Rebecca Spaar
Chief Executive Officer
BioCentric Laboratories, Inc.
P.O. Box 1018
Brighton, CO 80601



Linda Norris

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 78/320,975
Published in the Official Gazette of August 3, 2004

ALLERGAN, INC.,

Opposer,

vs.

BIOCENTRIC LABORATORIES, INC.,

Applicant.

Opposition No. 91161603

Mark: **SEATOX**

**OPPOSER'S NOTICE OF RELIANCE PURSUANT TO RULE 2.122(e) ON CLASS 3
"TOX"-SUFFIX REGISTRATIONS FILED PRIOR TO APRIL 2002**

Opposer Allergan, Inc., pursuant to Rule 2.122(e) of the Trademark Rules of Practice, submits this Notice of Reliance on the following "TOX"-suffix Class 3 registrations, all of which matured from applications filed prior to April 2002. Copies of pages downloaded from the U.S. Patent and Trademark Office's Trademark Applications and Registrations Retrieval website ("TARR") showing these registrations are attached hereto.

<u>EXH.</u>	<u>REG. NO.</u>	<u>MARK</u>	<u>DATE FILED</u>	<u>GOODS</u>
1	2749002	HAIR DETOX	December 7, 2000	hair care product, namely non-medicated hair shampoo for removing residues and toxins from skin and scalp
2	2518102	D:TOX	May 13, 1999	hair shampoo, hair conditioner, and hair styling fixatives
3	2409398	CELLULAR DETOX	February 10, 1999	skin creams, skin oils, and skin cosmetics, namely, foundation makeup, skin serums,

				namely, non-medicated skin lotions, skin cleansers and skin masks
4	2199555	PRETOX	May 28, 1997	paint remover, namely, a product used in connection with removing lead-based paint
5	2199549	PRETOX 2000	May 27, 1997	paint remover, namely, a product used in connection with removing lead-based paint
6	1797456	URBAN DETOX	December 31, 1992	skin lotion

These registrations are relevant because they show that, excluding marks that included the word "detox," there are no active Class 3 registrations for skin care products filed prior to April 30, 2002 that include a "tox"-suffix.

Dated: January 25, 2006

SEYFARTH SHAW LLP

By: 

Kenneth L. Wilton
Attorneys for Opposer
Allergan, Inc.

2029 Century Park East, Suite 3300
Los Angeles, CA 90067-3063
Telephone: (310) 277-7200
Facsimile: (310) 201-5219

CERTIFICATE OF MAILING

I hereby certify that on January 25, 2006, this Opposer's Notice of Reliance Pursuant to Rule 2.122(e) On Class 3 "TOX"-Suffix Registrations Filed Prior to April 2002 is being deposited with the U.S. Postal Service by First Class Mail service for delivery to:

Commissioner for Trademarks
BOX TTAB NO FEE
Post Office Box 1451
Alexandria, VA 22313-1451

A handwritten signature in black ink, appearing to read "Linda Norris", written over a horizontal line.

Linda Norris

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 17:20:03 ET

Serial Number: 76177454

Registration Number: 2749002

Mark (words only): HAIR DETOX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2003-08-05

Filing Date: 2000-12-07

Transformed into a National Application: No

Registration Date: 2003-08-05

Register: Supplemental

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-08-19

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. BNG Enterprises, Inc.

Address:

BNG Enterprises, Inc.
1325 West 21st Street
Tempe, AZ 852821108
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Arizona

GOODS AND/OR SERVICES

International Class: 003

Hair care product, namely non-medicated hair shampoo for removing residues and toxins from skin and

scalp

First Use Date: 2000-01-31

First Use in Commerce Date: 2000-01-31

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-01-17 - Attorney Revoked And/Or Appointed

2005-01-17 - TEAS Revoke/Appoint Attorney Received

2004-04-20 - TEAS Change of Correspondence Received

2003-08-05 - Registered - Supplemental Register

2003-06-05 - APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER

2003-04-11 - Communication received from applicant

2003-04-14 - PAPER RECEIVED

2002-10-11 - Non-final action mailed

2002-10-10 - Case file assigned to examining attorney

2002-07-23 - Communication received from applicant

2002-07-26 - Communication received from applicant

2002-07-26 - PAPER RECEIVED

2002-01-23 - Non-final action mailed

2001-12-05 - Communication received from applicant

2001-05-31 - Non-final action mailed

2001-05-25 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

Charles H. Knull, Vanessa Riviere, Marc S. Ullman (Attorney of record)

Charles H. Knull
Ullman, Shapiro & Ullman
299 Broadway, Suite 1700
New York NY 10007

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 17:21:09 ET

Serial Number: 75705861 Assignment Information

Registration Number: 2518102 Assignment Information

Mark (words only): D:TOX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2001-12-11

Filing Date: 1999-05-13

Transformed into a National Application: No

Registration Date: 2001-12-11

Register: Principal

Law Office Assigned: LAW OFFICE 107

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2001-12-26

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. AMERICAN CREW, INC.

Address:

AMERICAN CREW, INC.

1732 Champa Street

Denver, CO 80202

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 003

hair shampoo, hair conditioner, and hair styling fixatives

First Use Date: 1999-07-00

First Use in Commerce Date: 1999-07-00

Basis: 1(a)

ADDITIONAL INFORMATION

Disclaimer: "DETOX"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2002-06-17 - PAPER RECEIVED

2001-12-11 - Registered - Principal Register

2001-08-20 - Allowed for Registration - Principal Register (SOU accepted)

2001-08-09 - Statement of use processing complete

2001-07-20 - Amendment to Use filed

2001-01-30 - Notice of allowance - mailed

2000-11-07 - Published for opposition

2000-10-06 - Notice of publication

2000-07-25 - Approved for Pub - Principal Register (Initial exam)

2000-05-24 - Communication received from applicant

1999-11-26 - Non-final action mailed

1999-11-19 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

STEPHEN A GOLDSMITH (Attorney of record)

STEPHEN A GOLDSMITH
LADAS & PARRY
26 W 61ST STREET
NEW YORK NY 10023

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 17:21:26 ET

Serial Number: 75638888

Registration Number: 2409398

Mark (words only): CELLULAR DETOX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2000-11-28

Filing Date: 1999-02-10

Transformed into a National Application: No

Registration Date: 2000-11-28

Register: Principal

Law Office Assigned: LAW OFFICE 107

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-11-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Raysor, Warren

Address:

Raysor, Warren
P.O. Box 1040
Guerneville, CA 954461040
United States

Legal Entity Type: Individual

Country of Citizenship: United States

2. Raysor, Ariadna

Address:

Raysor, Ariadna
P.O. Box 1040

Guerneville, CA 954461040
United States
Legal Entity Type: Individual
Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 003

Skin creams, skin oils, and skin cosmetics, namely, foundation makeup, skin serums, namely, non-medicated skin lotions, skin cleansers and skin masks

First Use Date: 2000-04-13

First Use in Commerce Date: 2000-04-13

Basis: 1(a)

ADDITIONAL INFORMATION

Disclaimer: "CELLULAR"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2000-11-28 - Registered - Principal Register

2000-08-17 - Allowed for Registration - Principal Register (SOU accepted)

2000-08-07 - Statement of use processing complete

2000-05-31 - Amendment to Use filed

2000-02-01 - Notice of allowance - mailed

1999-11-09 - Published for opposition

1999-10-08 - Notice of publication

1999-07-15 - Approved for Pub - Principal Register (Initial exam)

1999-07-01 - Examiner's amendment mailed

1999-06-17 - Non-final action mailed

1999-06-14 - Case file assigned to examining attorney

1999-06-07 - Case file assigned to examining attorney

1999-06-05 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

WARREN RAYSOR

P.O BOX 1040

GUERNEVILLE, CA 95446-1040

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 17:21:44 ET

Serial Number: 75299301

Registration Number: 2199555

Mark (words only): PRETOX

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-01-07

Filing Date: 1997-05-28

Transformed into a National Application: No

Registration Date: 1998-10-27

Register: Principal

Law Office Assigned: LAW OFFICE 107

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. NexTec, Inc.

Address:

NexTec, Inc.
4050 Westmark Drive
Dubuque, IA 52002
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Iowa

GOODS AND/OR SERVICES

International Class: 003

paint remover, namely, a product used in connection with removing lead-based paint

First Use Date: 1997-02-10

First Use in Commerce Date: 1997-02-10

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-01-07 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-10-30 - Section 8 (6-year) and Section 15 Filed

1998-10-27 - Registered - Principal Register

1998-08-04 - Published for opposition

1998-07-03 - Notice of publication

1998-05-13 - Approved for Pub - Principal Register (Initial exam)

1997-10-14 - Non-final action mailed

1997-10-03 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

THOMAS C WETTACH (Attorney of record)

THOMAS C WETTACH
COHEN & GRISBY PC
11 STANWIX ST 15TH FLOOR
PITTSBURGH PA 15222

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 17:22:02 ET

Serial Number: 75298199

Registration Number: 2199549

Mark (words only): PRETOX 2000

Standard Character claim: No

Current Status: Section 8 and 15 affidavits have been accepted and acknowledged.

Date of Status: 2004-01-07

Filing Date: 1997-05-27

Transformed into a National Application: No

Registration Date: 1998-10-27

Register: Principal

Law Office Assigned: LAW OFFICE 107

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. NexTec, Inc.

Address:

NexTec, Inc.
4050 Westmark Drive
Dubuque, IA 52002
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Iowa

GOODS AND/OR SERVICES

International Class: 003

paint remover, namely, a product used in connection with removing lead-based paint

First Use Date: 1997-02-10

First Use in Commerce Date: 1997-02-10

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-01-07 - Section 8 (6-year) accepted & Section 15 acknowledged

2003-10-30 - Section 8 (6-year) and Section 15 Filed

1998-10-27 - Registered - Principal Register

1998-08-04 - Published for opposition

1998-07-03 - Notice of publication

1998-05-13 - Approved for Pub - Principal Register (Initial exam)

1997-10-14 - Non-final action mailed

1997-10-03 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

THOMAS C WETTACH (Attorney of record)

THOMAS C WETTACH
COHEN & GRIGSBY PC
11 STANWIX ST 15TH FLOOR
PITTSBURGH PA 15222

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 17:22:19 ET

Serial Number: 74344862 Assignment Information

Registration Number: 1797456 Assignment Information

Mark (words only): URBAN DETOX

Standard Character claim: No

Current Status: This registration has been renewed.

Date of Status: 2003-05-31

Filing Date: 1992-12-31

Transformed into a National Application: No

Registration Date: 1993-10-12

Register: Principal

Law Office Assigned: LAW OFFICE 8

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-06-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. BIOELEMENTS, INC.

Address:

BIOELEMENTS, INC.
WATER TOWER PLACE 845 NORTH MICHIGAN AVENUE
CHICAGO, IL 60611
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Illinois

GOODS AND/OR SERVICES

International Class: 003
skin lotion

First Use Date: 1990-11-00

First Use in Commerce Date: 1990-11-00

Basis: 1(a)

ADDITIONAL INFORMATION

Disclaimer: "DETOX"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-05-31 - First renewal 10 year

2003-05-31 - Section 8 (10-year) accepted/ Section 9 granted

2003-03-26 - Combined Section 8 (10-year)/Section 9 filed

2003-03-26 - TEAS Section 8 & 9 Received

1999-09-27 - Section 8 (6-year) accepted & Section 15 acknowledged

1999-04-22 - Section 8 (6-year) and Section 15 Filed

1993-10-12 - Registered - Principal Register

1993-07-20 - Published for opposition

1993-06-18 - Notice of publication

1993-05-18 - Approved for Pub - Principal Register (Initial exam)

1993-05-05 - Communication received from applicant

1993-04-08 - Non-final action mailed

1993-03-18 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

JANICE BADER (Attorney of record)

JANICE BADER

SYMBUS LAW GROUP, LLC

3398 GOVERNORS CREST CT.
ALEXANDRIA, VA 22310

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2006, I served the foregoing Opposer's Notice of Reliance Pursuant to Rule 2.122(e) On Class 3 "TOX"-Suffix Registrations Filed Prior to April 2002 on the applicant by depositing a true copy thereof in a sealed envelope with the United States Postal Service "Priority Mail Service" addressed to applicant as follows:

Ms. Rebecca Spaar
Chief Executive Officer
BioCentric Laboratories, Inc.
854 Baseline Place
Suite B
Brighton, CO 80603

AND

Ms. Rebecca Spaar
Chief Executive Officer
BioCentric Laboratories, Inc.
P.O. Box 1018
Brighton, CO 80601


Linda Norris

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 78/320,975
Published in the Official Gazette of August 3, 2004

ALLERGAN, INC.,

Opposer,

vs.

BIOCENTRIC LABORATORIES, INC.,

Applicant.

Opposition No. 91161603

Mark: **SEATOX**

**OPPOSER'S NOTICE OF RELIANCE PURSUANT TO RULE 2.122(e) ON CLASS 3
"TOX"-SUFFIX APPLICATIONS FILED AFTER APRIL 2002**

Opposer Allergan, Inc., pursuant to Rule 2.122(e) of the Trademark Rules of Practice, submits this Notice of Reliance on the following "TOX"-suffix Class 3 applications filed after April 2002. Copies of pages downloaded from the U.S. Patent and Trademark Office's Trademark Applications and Registrations Retrieval website ("TARR") showing these applications are attached hereto.

<u>EXH.</u>	<u>APPLICATION SERIAL NO.</u>	<u>MARK</u>	<u>DATE FILED</u>	<u>GOODS</u>
7	78745764	KINOTOX INTERNATIONAL	November 2, 2005	cosmetic preparations for body care
8	78500025	NO-TOX A SAFE ALTERNATIVE TO BOTOX	October 14, 2004	cosmetics and skincare, anti-aging natural based botox alternative skin care preparations, namely, creams, lotions, non- medicated serums for anti- wrinkle effects to tone skin; skin care products, namely, skin firming preparations, dry skin lotions and gels, skin hydrators, toners, and non- medical firming serum for face, eyes, neck and body; cosmetic pads and facial

				masks, light peels, skin fading lotions, moisturizers, and cosmetics, namely, lipsticks, lip gloss, foundation, concealers, toners and lip liner penc [sic]
9	78519868	GRANTOX	November 19, 2004	cosmetics
10	78616879	BETTER THAN BOTOX?	April 26, 2005	cosmetics, namely creams and lotions
11	78649194	AIRTOX	June 13, 2005	cosmetics, makeup
12	78700648	PRETOX	August 25, 2005	non-medicated skin care preparations; skin creams; skin lotions; soaps for personal use; shampoos; shower and bath foam; shower gels; hair care preparations; hair creams; hair lotions; cosmetics
13	78720291	NANOTOX	September 26, 2005	cosmetics and skin care products, namely cleansers, exfoliators, sunscreens, moisturizers, serums, creams and lotions, and hair care products, namely shampoos, conditioners, hair sprays, styling gels, styling mousse, hair lotions
14	78352907	DERMATOX	January 16, 2004	cosmetics; face and hand creams and lotions; wrinkle cream
15	78301594	TIGHTOX	September 17, 2003	cosmetics
16	78301574	LIFTOX	September 17, 2003	cosmetics
17	78320975	SEATOX	October 30, 2003	cosmetic

18	78304431	BETTER THAN BOTOX?	September 23, 2003	cosmetics
19	78304187	CELLUTOX	September 23, 2003	cosmetic preparations
20	78261749	ENFUTOX	June 12, 2003	skin care, beauty care, personal care, hair care and cosmetic preparations, namely, alpha-hydroxy-based skin care preparations, bath gel, bath and body oil, blusher, body lotion, body powder, bubble bath and cellulite reducing creams; skin firming preparations, namely, creams, hydrators, lotions, moisturizers, toners and cosmetic pads; non-medicated skin smoothing creams, hydrators, lotions, moisturizers and toners; clarifier; cleansing bar; cleansing cream; cleansing gel; cleansing lotion; cologne; compacts; conditioning cleanser; coverstick; skin cream; personal deodorant; skin emollient; eye cream; eye shadow; eye liner; concealer; exfoliating skin cream; face lotion; face powder; cosmetic astringents; foundation makeup; hair conditioner; hair coloring preparations; hair gel; hair lotion; hair shampoo; hair spray; hair styling preparations; lip conditioner; lip highlighter; lip liner; lipstick; makeup remover; mascara; skin mask; perfume; self tanning lotion; shaving gel; shower gel; skin balancer;

				skin lotion; skin and body moisturizer; skin toner; soap-free skin cleanser; soap-free cleansing bar; sunscreens; sun blocks; and skin patches used to determine skin type for non-medical cosmetic use
21	78242375	SOFTOX	April 25, 2003	cosmetics
22	78225165	SERUTOX	March 13, 2003	cosmetic for anti-wrinkling purposes
23	78218444	INSTA-TOX	February 24, 2003	cosmetics and skin care products, namely, creams, lotions and non-medicated, wrinkle-smoothing serums for the face
24	78215363	COSMA-TOX	February 15, 2003	cosmetics and skin care services; namely, creams, lotions and wrinkle smoothing serums for the face
25	78186496	C-TOX	November 19, 2002	cosmetics and skin care products; namely, facial firming and wrinkle smoothing serums.
26	78176221	A-TOX	October 18, 2002	cosmetics and skin care services; namely, creams, lotions and wrinkle smoothing serums for the face.
27	76433798	DERMOTOX	July 24, 2002	non-medicated skin care preparations, namely, cosmetics
28	76478129	FIRMA TOX	December 9, 2002	skin care preparations, namely skin firming serums, creams and lotions for cosmetic purposes; non-medicated skin firming serums, creams and lotions

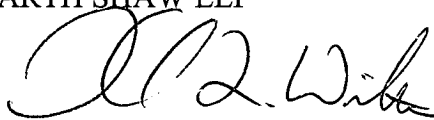
29	76496614	NO-TOX	March 12, 2003	skin care preparations, namely, creams, lotions, non-medicated serums for anti-wrinkle effects to tone skin; skin care products, namely, skin firming preparations, dry skin lotions and gels, skin hydrators, toners, and non-medical firming serum for face, eyes, neck and body; cosmetic pads and facial masks, light peels, skin fading lotions, moisturizers, and cosmetics, namely, lipsticks, lip gloss, foundation, concealers, toners and lip liner pencils
30	76502564	ZEROTOX	March 31, 2003	cosmetics
31	76530239	NEWTOX	UNKNOWN	cosmetic
32	76559976	BODY-TOX	October 30, 2003	cosmetics and skin care products; namely, cleansers, creams, lotions, serums and moisturizers for the hands, face and body
33	76564212	INSTA-TOX	November 24, 2003	cosmetics and skin care products; namely, cleansers, creams, lotions, serums and moisturizers for the hands, face and body

These applications are relevant to show that applications to register "tox"-suffix marks in Class 3 for skin creams have virtually all been filed since April 2002, after Opposer obtained FDA approval of its BOTOX[®] product for a cosmetic indication.

Dated: January 25, 2006

SEYFARTH SHAW LLP

By: _____



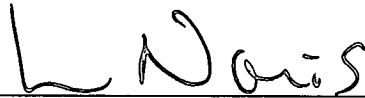
Kenneth L. Wilton
Attorneys for Opposer
Allergan, Inc.

2029 Century Park East, Suite 3300
Los Angeles, CA 90067-3063
Telephone: (310) 277-7200
Facsimile: (310) 201-5219

CERTIFICATE OF MAILING

I hereby certify that on January 25, 2006, this Opposer's Notice Of Reliance Pursuant To Rule 2.122(e) On Class 3 "TOX"-Suffix Applications Filed After April 2002 is being deposited with the U.S. Postal Service by First Class Mail service for delivery to:

Commissioner for Trademarks
BOX TTAB NO FEE
Post Office Box 1451
Alexandria, VA 22313-1451

A handwritten signature in cursive script, appearing to read "L Norris", is written over a horizontal line.

Linda Norris

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:13:56 ET

Serial Number: 78745764

Registration Number: (NOT AVAILABLE)

Mark

KinoTox International

(words only): KINOTOX INTERNATIONAL

Standard Character claim: Yes

Current Status: Newly filed application, not yet assigned to an examining attorney.

Date of Status: 2005-11-10

Filing Date: 2005-11-02

Filed as TEAS Plus Application: Yes

Currently TEAS Plus Application: Yes

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 042 -New Application Processing

Date In Location: 2005-11-10

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Healthy Habits, LLC

Composed Of:

Matthew D. Martin - USA

Address:

Healthy Habits, LLC

6339 E. Greenway Pkwy #102-417

Scottsdale, AZ 85254

United States

Legal Entity Type: Partnership**State or Country Where Organized:** Arizona**Phone Number:** 480-998-6904

GOODS AND/OR SERVICES

International Class: 003

Cosmetic preparations for body care

First Use Date: 2004-01-01**First Use in Commerce Date:** 2004-01-01**Basis:** 1(a)**International Class:** 005

Dietary supplements

First Use Date: 2004-01-01**First Use in Commerce Date:** 2004-01-01**Basis:** 1(a)

ADDITIONAL INFORMATION

Disclaimer: "International"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-11-08 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

HEALTHY HABITS, LLC

HEALTHY HABITS, LLC

6339 E. GREENWAY PKWY #102-417

SCOTTSDALE, AZ 85254

Phone Number: 480-998-6904

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:14:15 ET

Serial Number: 78500025

Registration Number: (NOT AVAILABLE)

Mark

no-tox a safe
alternative to
botox

(words only): NO-TOX A SAFE ALTERNATIVE TO BOTOX

Standard Character claim: Yes

Current Status: Abandoned: Applicant's express request.

Date of Status: 2004-12-03

Filing Date: 2004-10-14

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 042 -New Application Processing

Date In Location: 2004-10-25

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. younger you inc

Address:

younger you inc
1615 johnson street

hollywood, FL 33020

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

Phone Number: 954-921-7277

Fax Number: 954-929-8908

GOODS AND/OR SERVICES

International Class: 003

cosmetics and skincare, anti-aging natural based botox alternative skin care preparations, namely, creams, lotions, non-medicated serums for anti-wrinkle effects to tone skin; skin care products, namely, skin firming preparations, dry skin lotions and gels, skin hydrators, toners, and non-medical firming serum for face, eyes, neck and body; cosmetic pads and facial masks, light peels, skin fading lotions, moisturizers, and cosmetics, namely, lipsticks, lip gloss, foundation, concealers, toners and lip liner penc

First Use Date: 2004-07-02

First Use in Commerce Date: 2004-07-02

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-12-03 - Abandonment Notice Mailed - Express Abandonment

2004-12-03 - Abandonment - Express mailed

2004-12-03 - TEAS Express Abandonment Received

2004-10-21 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

YOUNGER YOU INC

1615 JOHNSON ST

HOLLYWOOD FL 33020-3603

Phone Number: 954-921-7277

Fax Number: 954-929-8908

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:14:29 ET

Serial Number: 78519868

Registration Number: (NOT AVAILABLE)

Mark

GranTox

(words only): GRANTOX

Standard Character claim: Yes

Current Status: Application has been published for opposition.

Date of Status: 2006-01-03

Filing Date: 2004-11-19

The Information will be/was published in the Official Gazette on 2006-01-03

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 112

Attorney Assigned:

BLANDU FLORENTINA Employee Location

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-11-21

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. GRANT INDUSTRIES, INC.

Address:

GRANT INDUSTRIES, INC.
103 MAIN AVENUE
ELMWOOD PARK, NJ 074073203
United States
Legal Entity Type: Corporation
State or Country of Incorporation: New Jersey

GOODS AND/OR SERVICES

International Class: 003
COSMETICS
First Use Date: 2003-10-15
First Use in Commerce Date: 2003-10-15

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-03 - Published for opposition
2005-12-14 - Notice of publication
2005-11-10 - Law Office Publication Review Completed
2005-11-10 - Assigned To LIE
2005-11-03 - Approved for Pub - Principal Register (Initial exam)
2005-11-03 - Amendment to Use approved
2005-09-13 - Amendment From Applicant Entered
2005-08-26 - Communication received from applicant
2005-08-26 - Amendment to use processing complete
2005-08-26 - Amendment to Use filed
2005-08-26 - PAPER RECEIVED

2005-06-28 - Non-final action mailed

2005-06-28 - Non-Final Action Written

2005-06-25 - Case file assigned to examining attorney

2004-11-29 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

HERBERT DUBNO (Attorney of record)

JONATHAN MYERS

THE FIRM OF KARL F. ROSS, P.C.

SUITE 310

5676 RIVERDALE AVE.

BRONX (RIVERDALE), NY 10471-0900

Phone Number: (718) 884-6600

Fax Number: (718) 601-1099

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:15:10 ET

Serial Number: 78616879

Registration Number: (NOT AVAILABLE)

Mark

BETTER THAN BOTOX?

(words only): BETTER THAN BOTOX?

Standard Character claim: Yes

Current Status: Abandoned: Applicant's express request.

Date of Status: 2005-08-23

Filing Date: 2005-04-26

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 042 -New Application Processing

Date In Location: 2005-05-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WESTERN HOLDINGS, LLC

Address:

WESTERN HOLDINGS, LLC
1210 SOUTH WALNUT AVENUE

CASPER, WY 82601

United States

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: Wyoming

GOODS AND/OR SERVICES

International Class: 003

cosmetics, namely creams and lotions

First Use Date: 2003-01-10

First Use in Commerce Date: 2003-01-21

Basis: 1(a)

International Class: 016

printed materials, namely press releases and advertising comparing benefits of cosmetics

First Use Date: 2003-01-10

First Use in Commerce Date: 2003-01-21

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-08-23 - Abandonment Notice Mailed - Express Abandonment

2005-08-23 - Abandonment - Express mailed

2005-08-22 - TEAS Express Abandonment Received

2005-05-09 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

JULIE K. MORRISS (Attorney of record)

JULIE K. MORRISS

MORRISS O'BRYANT COMPAGNI, PC

136 S MAIN ST STE 700

SALT LAKE CITY, UT 84101-1682

Phone Number: 801-478-0071

Fax Number: 801-478-0076

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:15:23 ET

Serial Number: 78649194

Registration Number: (NOT AVAILABLE)

Mark

AirTox

(words only): AIRTOX

Standard Character claim: Yes

Current Status: Final review prior to publication has been completed, application will be published for opposition.

Date of Status: 2006-01-11

Filing Date: 2005-06-13

The Information will be/was published in the Official Gazette on 2006-02-21

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

Attorney Assigned:
SLOAN CYNTHIA M Employee Location

Current Location: 650 -Publication And Issue Section

Date In Location: 2006-01-11

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Scarengille, Catherine

Address:

Scarengille, Catherine
219 N. Coolidge Avenue
Margate, NJ 08402
United States

Legal Entity Type: Individual**Country of Citizenship:** United States**Phone Number:** 609-822-6247**Fax Number:** 609-823-2441

GOODS AND/OR SERVICES

International Class: 003

cosmetics, makeup

First Use Date: (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**Basis:** 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-09 - Law Office Publication Review Completed

2006-01-06 - Assigned To LIE

2006-01-03 - Approved for Pub - Principal Register (Initial exam)

2006-01-03 - Case file assigned to examining attorney

2005-06-16 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

CATHERINE SCARENGILLE
219 N COOLIDGE AVE
MARGATE, NJ 08402-1015

Phone Number: 609-822-6247

Fax Number: 609-823-2441

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:15:37 ET

Serial Number: 78700648

Registration Number: (NOT AVAILABLE)

Mark

PRETOX

(words only): PRETOX

Standard Character claim: Yes

Current Status: Newly filed application, not yet assigned to an examining attorney.

Date of Status: 2005-09-06

Filing Date: 2005-08-25

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 042 -New Application Processing

Date In Location: 2005-09-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. PANGAEA LABORATORIES LIMITED

Address:

PANGAEA LABORATORIES LIMITED
58 Crewys Road

London NW2 2AD

United Kingdom

Legal Entity Type: Corporation

State or Country of Incorporation: United Kingdom

GOODS AND/OR SERVICES

International Class: 003

Non-medicated skin care preparations; skin creams; skin lotions; soaps for personal use; shampoos; shower and bath foam; shower gels; hair care preparations; hair creams; hair lotions; cosmetics

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-02 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

Jason M. Drangel (Attorney of record)

JASON M. DRANGEL

EPSTEIN DRANGEL BAZERMAN & JAMES, LLP

60 E 42ND ST RM 820

NEW YORK, NY 10165-0820

Phone Number: 1-212-292 5390

Fax Number: 1-212-292 5391

Domestic Representative

Jason M. Drangel

Phone Number: 1-212-292 5390

Fax Number: 1-212-292 5391

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:15:49 ET

Serial Number: 78720291

Registration Number: (NOT AVAILABLE)

Mark

NANOTOX

(words only): NANOTOX

Standard Character claim: Yes

Current Status: Newly filed application, not yet assigned to an examining attorney.

Date of Status: 2005-10-03

Filing Date: 2005-09-26

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: (NOT AVAILABLE)

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 042 -New Application Processing

Date In Location: 2005-10-03

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. D'Arcy Laboratories, LLC.

Address:

D'Arcy Laboratories, LLC.
2015 SW 2nd Street

Pompano Beach, FL 33069

United States

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: Delaware

Phone Number: 9543341000

Fax Number: 9543341001

GOODS AND/OR SERVICES

International Class: 003

Cosmetics and skin care products, namely cleansers, exfoliators, sunscreens, moisturizers, serums, creams and lotions, and hair care products, namely shampoos, conditioners, hair sprays, styling gels, styling mousse, hair lotions

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

Description of Mark: The mark consists of .

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-30 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

D'ARCY LABORATORIES, LLC.

2015 SW 2ND ST

POMPANO BEACH, FL 33069-3114

Phone Number: 9543341000

Fax Number: 9543341001

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:16:04 ET

Serial Number: 78352907

Registration Number: (NOT AVAILABLE)

Mark

DERMATOX

(words only): DERMATOX

Standard Character claim: Yes

Current Status: Further action on the application has been suspended.

Date of Status: 2005-09-12

Filing Date: 2004-01-16

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

Attorney Assigned:
LEIPZIG MARC J Employee Location

Current Location: M60 -TMO Law Office 115

Date In Location: 2004-08-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Derm & Peel, LLC

Address:
Derm & Peel, LLC
7030 Hayvenhurst Avenue

Van Nuys, CA 91411

United States

Legal Entity Type: LIMITED LIABILITY CORPORATION

State or Country Where Organized: California

GOODS AND/OR SERVICES

International Class: 003

Cosmetics; face and hand creams and lotions; wrinkle cream

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-09-12 - Report Completed Suspension Check Case Still Suspended

2005-03-10 - Report Completed Suspension Check Case Still Suspended

2004-08-09 - Letter of suspension mailed

2004-08-08 - Case file assigned to examining attorney

2004-01-22 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

Clark D. Gross (Attorney of record)

Clark D. Gross

Russ, August & Kabat

12424 Wilshire Boulevard, Suite 1200

Los Angeles, CA 90025

Phone Number: 310-826-7474

Fax Number: 310-826-6991

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:16:27 ET

Serial Number: 78301594

Registration Number: (NOT AVAILABLE)

Mark (words only): TIGHTOX

Standard Character claim: No

Current Status: Abandoned after an inter partes decision by the Trademark Trial and Appeal Board.

Date of Status: 2004-12-09

Filing Date: 2003-09-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 845 -TTAB

Date In Location: 2004-12-09

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. One World Networks Integrated Technologies, Inc.

Address:

One World Networks Integrated Technologies, Inc.
12300 Wilshire Boulevard Suite 200
Los Angeles, CA 90025
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Nevada

Phone Number: (310) 447-6300

Fax Number: (310) 820-0075

GOODS AND/OR SERVICES

International Class: 003

cosmetics

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-12-09 - Abandonment Notice Mailed - After Inter Partes Decision

2004-12-09 - Abandonment - After inter partes decision (Initial exam)

2004-12-09 - Opposition terminated for Proceeding

2004-12-09 - Opposition sustained for Proceeding

2004-06-22 - Opposition instituted for Proceeding

2004-06-21 - Opposition papers filed

2004-06-15 - Published for opposition

2004-05-26 - Notice of publication

2004-04-05 - Approved for Pub - Principal Register (Initial exam)

2004-04-05 - Case file assigned to examining attorney

2003-12-09 - TEAS Change of Correspondence Received

CORRESPONDENCE INFORMATION

Correspondent

DAX STEPHENS

ONE WORLD NETWORKS INTEGRATED TECHNOLOGI

12424 WILSHIRE BLVD, SUITE 1400

LOS ANGELES, CA 90025

Phone Number: 310-447-6300

Fax Number: 310-820-0075

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:16:39 ET

Serial Number: 78301574

Registration Number: (NOT AVAILABLE)

Mark (words only): LIFTOX

Standard Character claim: No

Current Status: Abandoned after an inter partes decision by the Trademark Trial and Appeal Board.

Date of Status: 2004-12-16

Filing Date: 2003-09-17

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 111

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 845 -TTAB

Date In Location: 2004-12-16

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. One World Networks Integrated Technologies, Inc.

Address:

One World Networks Integrated Technologies, Inc.
12300 Wilshire Boulevard Suite 200
Los Angeles, CA 90025
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Nevada

Phone Number: (310) 447-6300

Fax Number: (310) 820-0075

GOODS AND/OR SERVICES

International Class: 003

cosmetics

First Use Date: (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**Basis:** 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-12-16 - Abandonment Notice Mailed - After Inter Partes Decision

2004-12-16 - Abandonment - After inter partes decision (Initial exam)

2004-12-16 - Opposition terminated for Proceeding

2004-12-16 - Opposition sustained for Proceeding

2004-06-22 - Opposition instituted for Proceeding

2004-06-21 - Opposition papers filed

2004-06-15 - Published for opposition

2004-05-26 - Notice of publication

2004-04-05 - Approved for Pub - Principal Register (Initial exam)

2004-04-05 - Case file assigned to examining attorney

2003-12-09 - TEAS Change of Correspondence Received

CORRESPONDENCE INFORMATION

Correspondent

DAX STEPHENS

ONE WORLD NETWORKS INTEGRATED

TECHNOLOGIES, INC.

SUITE 1400 12424 WILSHIRE BLVD

LOS ANGELES, CA 90025

Phone Number: 310-447-6300

Fax Number: 310-820-0075

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:16:51 ET

Serial Number: 78320975

Registration Number: (NOT AVAILABLE)

Mark (words only): SEATOX

Standard Character claim: No

Current Status: An opposition is now pending at the Trademark Trial and Appeal Board.

Date of Status: 2004-08-05

Filing Date: 2003-10-30

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 103

Attorney Assigned:
CHISOLM KEVON Employee Location

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-06-23

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. BioCentric Laboratories, Inc.

Address:

BioCentric Laboratories, Inc.
10749 Owens Street
Westminster, CO 80021
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Colorado

Phone Number: 303-439-8359

Fax Number: 303-439-0770

GOODS AND/OR SERVICES

International Class: 003

Cosmetic

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-08-05 - Opposition instituted for Proceeding

2004-08-04 - Opposition papers filed

2004-08-03 - Published for opposition

2004-07-14 - Notice of publication

2004-06-03 - Approved for Pub - Principal Register (Initial exam)

2004-06-03 - Case file assigned to examining attorney

2003-11-21 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

REBECCA SPAAR

BIOCENTRIC LABORATORIES, INC.

P.O. BOX 1018

BRIGHTON, CO 90601

Phone Number: 303-439-8359

Fax Number: 303-439-0770

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:17:08 ET

Serial Number: 78304431

Registration Number: (NOT AVAILABLE)

Mark (words only): BETTER THAN BOTOX?

Standard Character claim: No

Current Status: Abandoned: Applicant's express request.

Date of Status: 2004-03-16

Filing Date: 2003-09-23

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-04-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. WESTERN HOLDINGS, LLC

Address:

WESTERN HOLDINGS, LLC

1210 S WALNUT

CASPER, WY 82601

United States

Legal Entity Type: Ltd Liab Co

State or Country Where Organized: United States

Phone Number: 801-517-7047

Fax Number: 801-517-7003

GOODS AND/OR SERVICES

International Class: 003

COSMETICS

First Use Date: 2003-01-10

First Use in Commerce Date: 2003-01-21

Basis: 1(a)

ADDITIONAL INFORMATION

Disclaimer: "BOTOX"

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-16 - Abandonment - Express mailed

2004-03-15 - Case file assigned to examining attorney

2004-03-04 - PAPER RECEIVED

2003-12-08 - TEAS Preliminary Amendment Received

CORRESPONDENCE INFORMATION

Correspondent

WESTERN HOLDINGS, LLC

1210 S WALNUT

CASPER, WY 82601

Phone Number: 801-517-7047

Fax Number: 801-517-7003

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:17:18 ET

Serial Number: 78304187

Registration Number: (NOT AVAILABLE)

Mark (words only): CELLUTOX

Standard Character claim: No

Current Status: Abandoned after an inter partes decision by the Trademark Trial and Appeal Board.

Date of Status: 2005-07-14

Filing Date: 2003-09-23

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 102

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 845 -TTAB

Date In Location: 2005-07-14

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Active Organics, Inc.

Address:

Active Organics, Inc.

1097 Yates

Lewisville, TX 75057

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Texas

Phone Number: 972-221-7500

GOODS AND/OR SERVICES

International Class: 003

Cosmetic preparations

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-07-14 - Abandonment Notice Mailed - After Inter Partes Decision

2005-07-14 - Abandonment - After inter partes decision (Initial exam)

2005-07-14 - Opposition terminated for Proceeding

2005-07-14 - Opposition sustained for Proceeding

2004-10-19 - Opposition instituted for Proceeding

2004-09-09 - Extension Of Time To Oppose Received

2004-08-31 - Published for opposition

2004-08-11 - Notice of publication

2004-06-04 - Approved for Pub - Principal Register (Initial exam)

2004-05-17 - Communication received from applicant

2004-05-17 - PAPER RECEIVED

2004-03-12 - Non-final action e-mailed

2004-03-03 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

John E. Vandigriff (Attorney of record)

JOHN VANDIGRIFF

190 N STEMMONS FRWY., SUITE 200
LEWISVILLE, TX 75067

Phone Number: 972-436-0184

Fax Number: 972-221-1200

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:17:31 ET

Serial Number: 78261749 Assignment Information

Registration Number: (NOT AVAILABLE)

Mark (words only): ENFUTOX

Standard Character claim: No

Current Status: An opposition is now pending at the Trademark Trial and Appeal Board.

Date of Status: 2005-02-09

Filing Date: 2003-06-12

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

Attorney Assigned:
SWAIN MICHELE LYNN Employee Location

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-09-01

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Shaklee Corporation

Address:

Shaklee Corporation
4747 Willow Road
Pleasanton, CA 945882740
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

GOODS AND/OR SERVICES

International Class: 003

Skin care, beauty care, personal care, hair care and cosmetic preparations, namely, alpha-hydroxy-based

skin care preparations, bath gel, bath and body oil, blusher, body lotion, body powder, bubble bath and cellulite reducing creams; skin firming preparations, namely, creams, hydrators, lotions, moisturizers, toners and cosmetic pads; non-medicated skin smoothing creams, hydrators, lotions, moisturizers and toners; clarifier; cleansing bar; cleansing cream; cleansing gel; cleansing lotion; cologne; compacts; conditioning cleanser; coverstick; skin cream; personal deodorant; skin emollient; eye cream; eye shadow; eye liner; concealer; exfoliating skin cream; face lotion; face powder; cosmetic astringents; foundation makeup; hair conditioner; hair coloring preparations; hair gel; hair lotion; hair shampoo; hair spray; hair styling preparations; lip conditioner; lip highlighter; lip liner; lipstick; makeup remover; mascara; skin mask; perfume; self tanning lotion; shaving gel; shower gel; skin balancer; skin lotion; skin and body moisturizer; skin toner; soap-free skin cleanser; soap-free cleansing bar; sunscreens; sun blocks; and skin patches used to determine skin type for non-medical cosmetic use

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

International Class: 005

Dietary and nutritional supplements; salicylic-based skin care preparations for problem skin

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

International Class: 009

Prerecorded audio tapes, video tapes, CD-ROMs and DVDs, all featuring information on skin care, beauty care, nutritional care, cosmetics, physical fitness, health related matters and the environment

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

International Class: 016

Printed matter, namely, informational and technical brochures, sales literature in the nature of order forms and printed forms, product guides and informational flyers featuring information in the fields of skin care, nutrition and food supplements, cosmetics, toiletries, and personal care, physical fitness, health related matters and the environment

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

International Class: 035

Providing door-to-door shopping services in the fields of skin care, nutrition and food supplements, cosmetics, toiletries, personal care, physical fitness, health care products and household products; providing in-home shopping services in the fields of skin care, nutrition and food supplements, cosmetics, toiletries, personal care, physical fitness, health care products and household products; and computerized online ordering services in the fields of skin care, nutrition and food supplements, cosmetics, toiletries, personal care, physical fitness, health care products and household products

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-02-09 - Opposition instituted for Proceeding

2004-10-12 - Extension Of Time To Oppose Received

2004-10-12 - Published for opposition

2004-09-22 - Notice of publication

2004-08-11 - Law Office Publication Review Completed

2004-08-10 - Assigned To LIE

2004-08-10 - Assigned To LIE

2004-08-03 - Approved for Pub - Principal Register (Initial exam)

2004-06-03 - Amendment From Applicant Entered

2004-06-03 - Communication received from applicant

2004-06-03 - TEAS Response to Office Action Received

2004-06-03 - TEAS Change of Correspondence Received

2004-05-11 - Final refusal e-mailed

2004-04-03 - Communication received from applicant

2004-04-03 - TEAS Response to Office Action Received

2004-01-02 - Non-final action e-mailed

2003-12-19 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

Richard J. Polley (Attorney of record)

RICHARD J. POLLEY
KLARQUIST SPARKMAN, LLP
ONE WORLD TRADE CENTER 121 SW SALMON STR
EET, SUITE 1600
PORTLAND, OR 97204
Phone Number: (503) 226-7391
Fax Number: (503) 228-9446

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:17:42 ET

Serial Number: 78242375

Registration Number: (NOT AVAILABLE)

Mark (words only): SOFTOX

Standard Character claim: No

Current Status: Abandoned after an inter partes decision by the Trademark Trial and Appeal Board.

Date of Status: 2005-06-06

Filing Date: 2003-04-25

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 111'

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 845 -TTAB

Date In Location: 2005-06-06

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. One World Networks Integrated Technologies, Inc.

Address:

One World Networks Integrated Technologies, Inc.
12300 Wilshire Blvd. Suite 200
Los Angeles, CA 90025
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Nevada

Phone Number: (310) 447-6300

Fax Number: (310) 820-0075

GOODS AND/OR SERVICES

International Class: 003

Cosmetics

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2005-06-06 - Abandonment Notice Mailed - After Inter Partes Decision

2005-06-06 - Abandonment - After inter partes decision (Initial exam)

2005-06-06 - Opposition terminated for Proceeding

2005-06-06 - Opposition sustained for Proceeding

2004-04-28 - Opposition instituted for Proceeding

2004-01-15 - Extension Of Time To Oppose Received

2004-01-13 - Published for opposition

2003-12-24 - Notice of publication

2003-12-09 - TEAS Change of Correspondence Received

2003-11-13 - Approved for Pub - Principal Register (Initial exam)

2003-11-13 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

HERBERT P. WILLIAMS

GREENBERG GLUSKER FIELDS CLAMAN MACHTING

1900 AVENUE OF THE STARS, SUITE 2100

LOS ANGELES, CA 90067-4590

Phone Number: 310-447-6300

Fax Number: 310-820-0075

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:17:57 ET

Serial Number: 78225165 Assignment Information

Registration Number: 2806756 Assignment Information

Mark (words only): SERUTOX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-01-20

Filing Date: 2003-03-13

Transformed into a National Application: No

Registration Date: 2004-01-20

Register: Principal

Law Office Assigned: LAW OFFICE 106

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-01-27

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. REALM 7 INTERNATIONAL, INC.

Address:

REALM 7 INTERNATIONAL, INC.
157 YACHT CLUB WAY SUITE #103
HYPOLUXO, FL 33462
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

GOODS AND/OR SERVICES

International Class: 003

cosmetic for anti-wrinkling purposes

First Use Date: 2002-12-28

First Use in Commerce Date: 2002-12-28

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-01-20 - Registered - Principal Register

2003-10-28 - Published for opposition

2003-10-08 - Notice of publication

2003-08-22 - Approved for Pub - Principal Register (Initial exam)

2003-08-21 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

MARK A DIEZ

157 YACHT CLUB WAY 103

HYPOLUXO FL 33462

Phone Number: 561-586-9968

Fax Number: 561-586-1132

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:18:10 ET

Serial Number: 78218444

Registration Number: 2902343

Mark (words only): INSTA-TOX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-11-09

Filing Date: 2003-02-24

Transformed into a National Application: No

Registration Date: 2004-11-09

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 650 -Publication And Issue Section

Date In Location: 2004-09-28

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Flageoli, Ltd.

Composed Of:

George Simone Lisa Stock Jennifer Flavin-Stallone, citizens of the United States of America

Address:

Flageoli, Ltd.

7421 Silver Palm Ct.

Las Vegas, NV 89117

United States

Legal Entity Type: Partnership

State or Country Where Organized: Nevada

Phone Number: (310) 829-2805

Fax Number: (310) 829-9018

GOODS AND/OR SERVICES

International Class: 003

Cosmetics and skin care products, namely, creams, lotions and non-medicated, wrinkle-smoothing serums for the face

First Use Date: 2003-08-06**First Use in Commerce Date:** 2003-08-06**Basis:** 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-11-09 - Registered - Principal Register

2004-09-14 - Law Office Registration Review Completed

2004-08-27 - Assigned To LIE

2004-08-23 - Allowed for Registration - Principal Register (SOU accepted)

2004-07-29 - Case file assigned to examining attorney

2004-07-12 - Statement of use processing complete

2004-07-12 - Amendment to Use filed

2004-07-14 - PAPER RECEIVED

2004-01-13 - Notice of allowance - mailed

2003-10-21 - Published for opposition

2003-10-01 - Notice of publication

2003-08-19 - Approved for Pub - Principal Register (Initial exam)

2003-08-19 - EXAMINERS AMENDMENT E-MAILED

2003-08-18 - Non-final action e-mailed

2003-08-13 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

Daphne Sheridan Bass (Attorney of record)

Daphne Sheridan Bass
Law Offices of Daphne Sheridan Bass
921 26th Street
Santa Monica CA USA 90403

Phone Number: (310) 829-2805

Fax Number: (310) 829-9018

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:18:21 ET

Serial Number: 78215363

Registration Number: (NOT AVAILABLE)

Mark (words only): COSMA-TOX

Standard Character claim: No

Current Status: Abandoned: Applicant's express request.

Date of Status: 2003-06-30

Filing Date: 2003-02-15

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-07-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Flageoli, Ltd.

Address:

Flageoli, Ltd.
7421 Silver Palm Ct.
Las Vegas, NV 89117
United States

Legal Entity Type: Limited Partnership

State or Country Where Organized: Nevada

Phone Number: (310) 829-2805

Fax Number: (310) 829-9018

GOODS AND/OR SERVICES

International Class: 003

Cosmetics and skin care services; namely, creams, lotions and wrinkle smoothing serums for the face.

First Use Date: (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**Basis:** 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-06-30 - Abandonment - Express mailed

2003-06-27 - Case file assigned to examining attorney

2003-06-03 - Communication received from applicant

2003-06-18 - Case File in TIGRS

2003-06-03 - PAPER RECEIVED

CORRESPONDENCE INFORMATION

Correspondent

Daphne Sheridan Bass (Attorney of record)

Daphne Sheridan Bass
Law Offices of Daphne Sheridan Bass
921 26th Street
Santa Monica CA USA 90403**Phone Number:** (310) 829-2805**Fax Number:** (310) 829-9018

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:18:34 ET

Serial Number: 78186496

Registration Number: (NOT AVAILABLE)

Mark (words only): C - TOX

Standard Character claim: No

Current Status: Abandoned: Applicant's express request.

Date of Status: 2003-06-23

Filing Date: 2002-11-19

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 112

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-06-30

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Daphne Sheridan Bass

Composed Of:

George Simone - U.S.Lesa Stock - U.S.Jennifer Flavin-Stallone - U.S.

Address:

Daphne Sheridan Bass

7421 Silver Palm Ct.

Las Vegas, NV 89117

United States

Legal Entity Type: Partnership

State or Country Where Organized: United States

Phone Number: (310) 829-2805

Fax Number: (310) 829-9018

GOODS AND/OR SERVICES

International Class: 003

Cosmetics and skin care products; namely, facial firming and wrinkle smoothing serums.

First Use Date: (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**Basis:** 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-06-23 - Abandonment - Express mailed

2003-06-03 - Communication received from applicant

2003-06-03 - PAPER RECEIVED

2003-05-08 - Non-final action e-mailed

2003-05-02 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

Law Offices of Daphne Sheridan Bass (Attorney of record)

Law Offices of Daphne Sheridan Bass

Law Offices of Daphne Sheridan Bass

921 26th Street

Santa Monica CA USA 90403

Phone Number: (310) 829-2805**Fax Number:** (310) 829-9018

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:18:46 ET

Serial Number: 78176221

Registration Number: (NOT AVAILABLE)

Mark (words only): A - TOX

Standard Character claim: No

Current Status: Abandoned: Applicant's express request.

Date of Status: 2003-07-12

Filing Date: 2002-10-18

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2003-08-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Flageoli, Ltd.

Composed Of:

George Simone Lesa Stock Jennifer Flavin-Stallone

Address:

Flageoli, Ltd.

7421 Silver Palm Ct.

Las Vegas, NV 89117

United States

Legal Entity Type: Partnership

State or Country Where Organized: Nevada

Phone Number: (310) 829-2805

Fax Number: (310) 829-9018

GOODS AND/OR SERVICES

International Class: 003

Cosmetics and skin care services; namely, creams, lotions and wrinkle smoothing serums for the face.

First Use Date: (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**Basis:** 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-07-12 - Abandonment - Express mailed

2003-06-02 - Communication received from applicant

2003-06-19 - Case File in TICRS

2003-06-02 - PAPER RECEIVED

2003-04-17 - Non-final action e-mailed

2003-04-10 - Case file assigned to examining attorney

2003-03-21 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

Daphne Sheridan Bass (Attorney of record)

Daphne Sheridan Bass
Law Offices of Daphne Sheridan Bass
921 26th Street
Santa Monica CA 90403**Phone Number:** (310) 829-2805**Fax Number:** (310) 829-9018

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:19:00 ET

Serial Number: 76433798

Registration Number: (NOT AVAILABLE)

Mark (words only): DERMOTOX

Standard Character claim: No

Current Status: Abandoned after an inter partes decision by the Trademark Trial and Appeal Board.

Date of Status: 2004-02-06

Filing Date: 2002-07-24

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 115

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-04-08

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Lancome Parfums et Beaute &Cie

Address:

Lancome Parfums et Beaute &Cie
29, rue du Faubourg Saint-Honore
Paris 75008
France

Legal Entity Type: SOCIETE EN NOM COLLECTIF

State or Country Where Organized: France

GOODS AND/OR SERVICES

International Class: 003

Non-medicated skin care preparations, namely, cosmetics

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 44(e)

ADDITIONAL INFORMATION

Foreign Application Number: 02/3.146.952

Foreign Registration Number: 023146952

Foreign Registration Date: 2002-02-11

Country: France

Foreign Filing Date: 2002-02-11

Foreign Expiration Date: 2012-02-11

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-06 - Abandonment - After inter partes decision (Initial exam)

2004-02-06 - Opposition terminated for Proceeding

2004-02-06 - Opposition terminated for Proceeding

2004-02-06 - Opposition dismissed for Proceeding

2003-10-24 - Opposition instituted for Proceeding

2003-07-17 - Extension Of Time To Oppose Received

2003-06-24 - Published for opposition

2003-06-04 - Notice of publication

2003-04-16 - Approved for Pub - Principal Register (Initial exam)

2003-04-15 - EXAMINERS AMENDMENT E-MAILED

2003-03-21 - Communication received from applicant

2003-03-21 - PAPER RECEIVED

2003-01-22 - NON-FINAL ACTION E-MAILED

2003-01-22 - Non-final action mailed

2003-01-15 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

Jennifer Shmulewitz (Attorney of record)

JENNIFER SHMULEWITZ
PAUL, HASTINGS, JANOFSKY & WALKER LLP
75 EAST 55TH STREET
NEW YORK, NY 10022

Phone Number: 212-318-6463

Fax Number: 212-339-9150

Domestic Representative

Robert L. Sherman

Phone Number: 212-318-6037

Fax Number: 212-230-7725

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:19:12 ET

Serial Number: 76478129

Registration Number: (NOT AVAILABLE)

Mark (words only): FIRMA TOX

Standard Character claim: No

Current Status: An opposition is now pending at the Trademark Trial and Appeal Board.

Date of Status: 2004-03-31

Filing Date: 2002-12-09

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 113

Attorney Assigned:
BUONGIORNO CHRISTOPHER L Employee Location

Current Location: 657 -Pre-Publication Final Review

Date In Location: 2004-04-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. TACTICA INTERNATIONAL, INC.

Address:

TACTICA INTERNATIONAL, INC.
11 West 42nd Street, 7th floor
New York, NY 10036
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Nevada

GOODS AND/OR SERVICES

International Class: 003

SKIN CARE PREPARATIONS, NAMELY SKIN FIRMING SERUMS, CREAMS AND LOTIONS

FOR COSMETIC PURPOSES; NON-MEDICATED SKIN FIRMING SERUMS, CREAMS AND LOTIONS

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-03-31 - Opposition instituted for Proceeding

2004-02-26 - Extension Of Time To Oppose Received

2004-02-10 - Published for opposition

2004-01-21 - Notice of publication

2003-12-10 - Approved for Pub - Principal Register (Initial exam)

2003-11-07 - Communication received from applicant

2003-11-07 - PAPER RECEIVED

2003-05-14 - Non-final action mailed

2003-05-02 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

Mark Harrison (Attorney of record)

MARK HARRISON

VENABLE

PO BOX 34385

WASHINGTON, DC 20043-4385

Phone Number: (202) 962-4019

Fax Number: (202) 962-8300

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:19:25 ET

Serial Number: 76496614

Registration Number: (NOT AVAILABLE)

Mark

No-Tox

(words only): NO-TOX

Standard Character claim: No

Current Status: Abandoned after an inter partes decision by the Trademark Trial and Appeal Board.

Date of Status: 2004-06-16

Filing Date: 2003-03-12

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 106

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-06-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Denese, Adrienne

Address:

Denese, Adrienne
12A East 72nd Street

New York, NY 10021

United States

Legal Entity Type: Individual

Country of Citizenship: United States

GOODS AND/OR SERVICES

International Class: 003

skin care preparations, namely, creams, lotions, non-medicated serums for anti-wrinkle effects to tone skin; skin care products, namely, skin firming preparations, dry skin lotions and gels, skin hydrators, toners, and non-medical firming serum for face, eyes, neck and body; cosmetic pads and facial masks, light peels, skin fading lotions, moisturizers, and cosmetics, namely, lipsticks, lip gloss, foundation, concealers, toners and lip liner pencils

First Use Date: 2001-10-02

First Use in Commerce Date: 2001-10-02

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-06-16 - Abandonment - After inter partes decision (Initial exam)

2004-06-25 - Opposition terminated for Proceeding

2004-06-16 - Opposition terminated for Proceeding

2004-06-16 - Opposition terminated for Proceeding

2004-06-10 - Opposition dismissed for Proceeding

2004-02-19 - Opposition instituted for Proceeding

2004-01-07 - PAPER RECEIVED

2003-11-07 - Extension Of Time To Oppose Received

2003-10-28 - Published for opposition

2003-10-08 - Notice of publication

2003-08-21 - Approved for Pub - Principal Register (Initial exam)

2003-08-20 - Case file assigned to examining attorney

2003-06-03 - PAPER RECEIVED

2003-06-03 - FAX RECEIVED

CORRESPONDENCE INFORMATION

Correspondent

DEBORAH A. BOTTISTI
CORPORATE SERVICE BUREAU INC.
283 WASHINGTON AVENUE
ALBANY, NY 12206

Phone Number: 518.463.8550

Fax Number: 518.463.1189



Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:19:36 ET

Serial Number: 76502564

Registration Number: 2812755

Mark (words only): ZEROTOX

Standard Character claim: No

Current Status: Registered.

Date of Status: 2004-02-10

Filing Date: 2003-03-31

Transformed into a National Application: No

Registration Date: 2004-02-10

Register: Principal

Law Office Assigned: LAW OFFICE 108

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-02-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Gilman Nutrition Distributors, Inc.

Address:

Gilman Nutrition Distributors, Inc.
333 Falkenburg Road North, Building D-403
Tampa, FL 33619
United States

Legal Entity Type: Corporation

State or Country of Incorporation: Florida

Phone Number: (813) 662-6765

Fax Number: (813) 651-0910

GOODS AND/OR SERVICES

International Class: 003

cosmetics

First Use Date: 2002-08-01

First Use in Commerce Date: 2002-09-01

Basis: 1(a)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-02-10 - Registered - Principal Register

2003-11-18 - Published for opposition

2003-10-29 - Notice of publication

2003-09-07 - Approved for Pub - Principal Register (Initial exam)

2003-09-07 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

JOHN GILMAN

GILMAN NUTRITION DISTRIBUTORS, INC.

333 FALKENBURG ROAD NORTH

BUILDING D-403

TAMPA, FLORIDA 33619

Phone Number: (813) 662-6765

Fax Number: (813) 651-0910

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:19:48 ET

Serial Number: 76530239

Registration Number: (NOT AVAILABLE)

Mark (words only): NEWTOX

Standard Character claim: No

Current Status: Serial number was assigned in error. Please do not use this number to identify any application. You will receive a "Notice of Incomplete Trademark Application" explaining why the serial number was held "misassigned."

Date of Status: 2003-09-12

Filing Date: (DATE NOT AVAILABLE)

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 116

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 000 -Unknown

Date In Location: (DATE NOT AVAILABLE)

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Spectrum Group

Address:

Spectrum Group
226 S. Beverly Dr.
Beverly Hills, CA 90024
United States

Legal Entity Type: Corporation

State or Country of Incorporation: California

Phone Number: 310-281-3780

Fax Number: 310-281-3785

GOODS AND/OR SERVICES

International Class: 003

COSMETIC

First Use Date: (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**Basis:** 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2003-08-12 - PAPER RECEIVED

CORRESPONDENCE INFORMATION

Correspondent

SPECTRUM GROUP

226 S. BEVERLY DR.

BEVERLY HILLS CA 90024

Phone Number: 310-281-3780**Fax Number:** 310-281-3785

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:19:59 ET

Serial Number: 76559976

Registration Number: (NOT AVAILABLE)

Mark

BODY-TOX



(words only): BODY-TOX

Standard Character claim: No

Current Status: Abandoned: Applicant's express request.

Date of Status: 2004-08-10

Filing Date: 2003-10-30

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

If you are the applicant or applicant's attorney and have questions about this file, please contact the Trademark Assistance Center at TrademarkAssistanceCenter@uspto.gov

Current Location: 900 -File Repository (Franconia)

Date In Location: 2004-11-04

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Flageoli, Limited

Address:

Flageoli, Limited
11845 West Olympic Boulevard - Ste. 995- West Tower

Los Angeles, CA 90064

United States

Legal Entity Type: LIMITED LIABILITY PARTNERSHIP

State or Country Where Organized: Not Provided

GOODS AND/OR SERVICES

International Class: 003

COSMETICS AND SKIN CARE PRODUCTS; NAMELY, CLEANSERS, CREAMS, LOTIONS, SERUMS AND MOISTURIZERS FOR THE HANDS, FACE AND BODY

First Use Date: (DATE NOT AVAILABLE)

First Use in Commerce Date: (DATE NOT AVAILABLE)

Basis: 1(b)

ADDITIONAL INFORMATION

(NOT AVAILABLE)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-08-10 - Abandonment - Express mailed

2004-07-14 - Letter Of Abandonment Processed

2004-07-19 - PAPER RECEIVED

2004-05-17 - Non-final action mailed

2004-05-05 - Case file assigned to examining attorney

2003-12-09 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

Daphne Sheridan Bass (Attorney of record)

DAPHNE SHERIDAN BASS

921 26TH STreet

SANTA MONICA CA 90403

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2006-01-24 19:20:15 ET

Serial Number: 76564212

Registration Number: (NOT AVAILABLE)

Mark



INSTA-TOX

(words only): INSTA-TOX

Standard Character claim: No

Current Status: Application has been published for opposition.

Date of Status: 2006-01-10

Filing Date: 2003-11-24

The Information will be/was published in the Official Gazette on 2006-01-10

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 114

Attorney Assigned:
CORDOVA RAUL Employee Location

Current Location: 650 -Publication And Issue Section

Date In Location: 2005-12-02

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Flageoli, Limited

Composed Of:

George Simone, Jennifer Flavin-Stallone and Lesa Stock, all U.S. citizens

Address:

Flageoli, Limited
7310 Smoke Ranch Road - Ste. 1
Las Vegas, NV 89128
United States

Legal Entity Type: Ltd Liab Co**State or Country Where Organized:** Nevada

GOODS AND/OR SERVICES

International Class: 003

COSMETICS AND SKIN CARE PRODUCTS; NAMELY, CLEANSERS, CREAMS, LOTIONS, SERUMS AND MOISTURIZERS FOR THE HANDS, FACE AND BODY

First Use Date: (DATE NOT AVAILABLE)**First Use in Commerce Date:** (DATE NOT AVAILABLE)**Basis:** 1(b)

ADDITIONAL INFORMATION

Prior Registration Number(s):

2686174

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2006-01-10 - Published for opposition

2005-12-21 - Notice of publication

2005-11-29 - Law Office Publication Review Completed

2005-11-25 - Assigned To LIE

2005-11-23 - Approved for Pub - Principal Register (Initial exam)

2005-11-18 - Amendment From Applicant Entered

2005-10-18 - Communication received from applicant

2005-10-31 - PAPER RECEIVED

2005-04-18 - Non-final action mailed

2005-04-15 - Non-Final Action Written
2005-04-07 - Petition To Revive-Granted
2005-01-12 - Petition To Revive-Received
2005-01-12 - PAPER RECEIVED
2005-01-04 - Abandonment Notice Mailed - Failure To Respond
2005-01-04 - Abandonment - Failure To Respond Or Late Response
2004-06-10 - Non-final action mailed
2004-06-07 - Case file assigned to examining attorney
2003-12-26 - New Application Entered In Tram

CORRESPONDENCE INFORMATION

Correspondent

Daphne Sheridan Bass (Attorney of record)

DAPHNE SHERIDAN BASS
921 26TH ST
SANTA MONICA CA 90403-2203

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2006, I served the foregoing Opposer's Notice Of Reliance Pursuant To Rule 2.122(e) On Class 3 "TOX"-Suffix Applications Filed After April 2002 on the applicant by depositing a true copy thereof in a sealed envelope with the United States Postal Service "Priority Mail Service" addressed to applicant as follows:

Ms. Rebecca Spaar
Chief Executive Officer
BioCentric Laboratories, Inc.
854 Baseline Place
Suite B
Brighton, CO 80603

AND

Ms. Rebecca Spaar
Chief Executive Officer
BioCentric Laboratories, Inc.
P.O. Box 1018
Brighton, CO 80601


Linda Norris